IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: δ Group Art Unit: 1796 TODD ET AL. § Serial No.: 10/664,126 8888 FIGUEROA, JOHN J. Examiner Filed: SEPT. 17, 2003 Title: "IMPROVED SUBTERRANEAN § TREATMENT FLUIDS AND METHODS Atty, Docket No: 2003-IP-010228U1 8 8 OF TREATING SUBTERRANEAN FORMATIONS" §

CERTIFICATE OF FILING ELECTRONICALLY VIA EFS 37 C.F.R. § 1.8

I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING SUBMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE VIA EFS (ELECTRONICALLY) ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO.

HONORABLE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Device alley

MAIL STOP AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DATE OF SUBMISSION: ELECTRONIC FILING (EFS) JULY 11, 2008

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Honorable Commissioner:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 18, 2008, finally rejecting claims 15-18, 20-23, 28-30, 47-50, and 55-67.

Applicants hereby petition under the provisions of 37 C.F.R. § 1.136(a) for a onemonth extension of time to file this Notice, up to and including July 18, 2008.

The Commissioner is hereby authorized to debit Baker Botts L.L.P.'s Deposit

Application Serial No. 10/664,126 Attorney Docket No. 2003-IP-010228U1

Account No. 02-0383, Order Number 063718.0187, in the amount of \$630.00 for (1) the fee of \$510.00 for filing this Notice of Appeal, and (2) the fee of \$120.00 for the one-month extension of time for this filing. Should the Commissioner deem that any additional fees are due, including any fees for extensions of time, Applicants respectfully request that the Commissioner accept this as a Petition Therefor, and direct that any additional fees be charged to Baker Botts L.L.P.'s Deposit Account No. 02-0383, Order Number 063718.0187.

Respectfully submitted,

Elizabeth L. Durham

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Date: July 11, 2008